

**A SUBSTITUTE ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**06-O-1960**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A RIGHT OF WAY DEED, THREE (3) PERMANENT CONSTRUCTION AND MAINTENANCE OF SLOPES EASEMENTS, ONE (1) TEMPORARY DRIVEWAY EASEMENT, ONE (1) TEMPORARY CONSTRUCTION EASEMENT FOR THE REMOVAL OF SIDEWALKS, AND ONE (1) TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION AND REMOVAL OF RAILROAD DETOURS TO THE GEORGIA DEPARTMENT OF TRANSPORTATION IN CONSIDERATION FOR PROVIDING ROAD WIDENING, RECONSTRUCTION, AND REALIGNMENT IMPROVEMENTS FOR THE DONALD LEE HOLLOWELL PARKWAY/BANKHEAD HIGHWAY/SR 8/US 278 FROM PROCTOR CREEK TO ETHERIDGE STREET, IN FULTON COUNTY, GEORGIA; ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") is the owner of a tract of land in Fulton County, Georgia, known as Donald Lee Hollowell Parkway/Bankhead Highway/SR 8/US 78/US 278 from Proctor Creek to Etheridge Street; and

**WHEREAS**, the Georgia Department of Transportation ("GDOT") desires to widen, reconstruct, and realign Donald Lee Hollowell Parkway/Bankhead Highway/SR 8/US 78/US 278 from Proctor Creek to Etheridge Street ("DL Hollowell Project"); and

**WHEREAS**, the need for this project has been identified for over ten years and has been included in the Regional Transportation Plans and Transportation Improvement Programs and is currently in the Atlanta Region Interim Transportation Improvement Programs and the Atlanta Bicycle and Pedestrian Plan; and

**WHEREAS**, the DL Hollowell Project will be a benefit to the City as the area is expected to become an increasingly important transportation corridor and the City will incur no financial obligation for the project; and

**WHEREAS**, GDOT has requested that the City execute a right of way deed, three (3) permanent construction and maintenance of slopes easements, one (1) temporary driveway easement, one (1) temporary construction easement for the removal of sidewalks, and one (1) temporary construction easement for the construction and removal of railroad detours for the DL Hollowell Project to GDOT in consideration of providing road widening improvements; and

**WHEREAS**, the Commissioner of the Department of Public Works and the Chief Procurement Officer of the Department of Procurement recommend that the City execute the necessary documents to effectuate the conveyances.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:**

**SECTION 1:** That the Mayor is authorized to execute a right of way deed, three (3) permanent construction and maintenance of slopes easements, one (1) temporary driveway easements, one (1) temporary construction easement for the removal of sidewalks, and one (1) temporary construction easement for the construction and removal of railroad detours to the Georgia Department of Transportation ("GDOT") for the Donald Lee Parkway/Bankhead Highway/SR 8/US 78/US 278 from Proctor Creek to Etheridge Street, in Fulton County, Georgia, Exhibit "B" attached.

**SECTION 2:** That Section 2-1574 of the Official Code of Ordinances for the City of Atlanta is hereby waived due to the road widening improvements being provided at no cost to the City.

**SECTION 3:** That the City Attorney is directed to prepare the appropriate instruments for execution by the Mayor.

**SECTION 4:** That the same instruments will not be binding on the City and the City will incur no obligation or liability under them until they have been executed by the Mayor, approved as to form by the City Attorney and delivered to GDOT.

**SECTION 5:** That all ordinances or parts of ordinances in conflict with this are waived to the extent of the conflict.